



BioWeapons Prevention Project (BWPP)

Wellington, New Zealand  
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***State of the international norm  
against the weaponization of  
disease***

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# Overview

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- International law prohibiting BW
- What is required of states?
- Threats to the international norm
- Strengthening the norm
- New Zealand's position on BW



# International law prohibiting BW

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- 1925 Geneva Protocol
  - prohibits **use** of BW and CW
- 1972 Biological and Toxin Weapons Convention
  - prohibits **development, production, stockpiling, acquisition, retention and transfer** of BW, using ' general purpose criterion '
- UN Security Council Resolution 1540 (2004)
  - prohibits states **supporting** non-state actors to acquire BW, CW and NW



# What is required of states?

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- Adopt national implementing laws and other measures
- Enforce these laws!
- Assist each other with implementation
- Report on implementation and compliance:
  - BTWC: submit annual data exchanges to states parties ('Confidence-Building Measures')
  - UNSCR 1540: report on implementation to UNSC 1540 Committee



# Threats to the international norm

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- Treaty regimes are being undermined:
  - uneven national implementation
  - uneven capacity for enforcement
  - ineffective verification mechanisms
  - focus on terrorist/NSA threat
  - shift from multilateral, negotiated disarmament to mandated counter-terrorism mechanisms, enforced by 'coalition of the willing'
- Stakeholders largely excluded from:
  - national processes
  - international processes



# Strengthening the norm

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- Through treaty regimes:
  - BTWC Inter-Review Conference meetings
    - national criminal laws
    - protection of pathogens
    - verification of non-compliance
    - assistance in case of violation
    - codes of conduct
  
  - BTWC 6th Review Conference, December 2006
  
- Need for stakeholder involvement in national/international processes



# Verifying compliance

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- Objectives of a verification system:
  - demonstrate compliance (transparency)
  - detect non-compliance (monitoring)
  - deter non-compliance (credible verification/enforcement)
- The verification system for BW:
  - routine, but limited, transparency (BTWC/UNSCR 1540)
  - no routine monitoring
  - ad hoc inspections/enforcement



## New Zealand's position on BW

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*'New Zealand's strong and consistent policy is that all weapons of mass destruction (WMD) should be eliminated, and that this elimination should be verified and enforced through robust legally binding multilateral disarmament instruments.'*

**- New Zealand report to the UN Security Council Resolution 1540 Committee, October 2004**



# New Zealand's position on BW

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- Internationally:

- State party to relevant treaties
- Strongly supported efforts to strengthen BTWC
- Participates in CBM data exchanges
- Supports multilateralism... yet joined PSI coalition for enforcement

- Nationally:

- Adoption/enforcement of appropriate laws
- Focus on BW threat to plants/animals
- Preparedness for deliberate attack?
- Support for sub-state initiatives? (e.g., code of conduct)